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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,283	04/12/2001	David Guedalia	NMS03-12	4634

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EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/835,283

Applicant(s)

GUEDALIA ET AL.

Examiner

Shawki S Ismail

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on April 12, 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-26 are presented for examination.

References in applicant's IDS form 1449 have been considered.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-26, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Guck** U.S.

Paten No. **5,848,415** and in view of **Sherman et al.**, U.S. Patent No. **6,636,897**.

4. As to claim 1, 6, 11, 17, and 21, Guck teaches an e-mail retrieval using an IMAP or POP or HTTP e-mail server employing any protocol suitable to requesting user (col.6, lines 29-33, col. 12, lines 35-38, col. 9, lines 1-9); Guck does not explicitly disclose a thin e-mail client as the client to retrieve e-mail from the server. But, Sherman teaches synchronization of information between computing systems which the client computer system is a portable handheld personal computer such as palm size PC's (col. 4, lines 1-12 also see col.6, lines 1-23.)

Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to combine the teachings of Guck and Sherman to allow a thin-client to access e-mail because it would give users portability and accessibility to their e-mails without having to be in front of a computer.

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5. As to claim 2, 7, 12, 18, and 22, Guck teaches an e-mail retrieval system according to claim 1, 6, 11, 17, and 21, respectively, and wherein said IMAP, POP or HTTP server-thin e-mail client communication module comprises:

a communications conversion module, which converts communications from said IMAP, POP or HTTP server into a communication protocol (col. 9, lines 1-9);

a formatting module receiving data in said communication protocol and formatting said data into formatted data for said thin client (col. 3, lines 50-60); and

a communication server receiving said formatted data from said formatting module and transmitting said formatting data to said thin client (server 50, Fig.1).

6. As to claim 3, 8, 13, and 23, it contains similar limitation as that of claims 1, 11, and 21, respectively; therefore it is rejected under the same rationale.

7. As to claim 4, 9, 15, 20, 25 Guck teaches a system according to claim 1, 6, 11, 17, and 21, respectively, and also comprising an audio browser which is operative to communicate between said thin e-mail client and said IMAP server-thin e-mail client communication module (col. 12, lines 39-42).

8. As to claim 5, 10, 16, and 26 Guck teaches a system according to claim 4, 9, 15, 25, respectively, and wherein said thin e-mail client comprises a telephone (col. 12, lines 39-42).

9. As to claim 14, 19, and 24 guck teaches a system according to claim 12, 18, and 22, respectively, and wherein the conversion module provides functionalities not provided by said either POP or HTTP protocol (col. 34-51, the system will automatically convert the information as needed to handle both formatting and protocol requirement so that a user can have access to it.)

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 703-605-4362. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 703-306-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail  
Patent Examiner  
September 30, 2004

  
HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER